

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Benne Singletary,)	
Plaintiff,)	
)	
)	
v.)	
)	Civil Action No. 06-315- JJF
C/O Gosnell, and C/O Waples)	
Defendants.)	

DEFENDANTS' MOTION FOR LEAVE TO TAKE DEPOSITION OF PLAINTIFF

Defendants, by undersigned counsel, hereby move for leave of Court pursuant to Federal Rule Civil Procedure 30(a)(2) and Local Rule 30.1 to take the deposition Benne Singletary, by oral examination, who is confined in the Delaware Correctional Center, Smyrna, Delaware in order for Defendants to obtain discovery regarding matters relevant to their defense.

Since the plaintiff in this action is an unrepresented prisoner incarcerated in the Delaware Correctional Center, and is unable to be reached by telephone and other contact is impractical, counsel has spent no time attempting to reach an agreement on the subject of the motion.

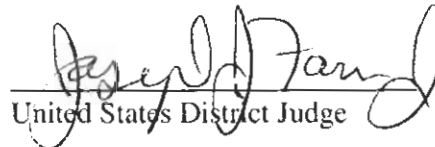
WHEREFORE, Defendants respectfully requests that the deposition by oral examination of Benne Singletary be taken on Friday, February 16, 2007 at 10:00 AM at the Delaware Correctional Center, Smyrna, Delaware and same be taken before a person authorized to administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure. The deposition will be recorded by stenographic means.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Ophelia M. Waters
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Deputy Attorney General
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Dated: February 2, 2007

SO ORDERED this 6 day of February, 2007.


United States District Judge